1420 LONGWORTH HOB WASHINGTON DC 20515

www GOP gov

PHONE 202 225 5107

FAX 202 226 0154

# S. 2739 - Consolidated Natural Resources Act of 2008

## FLOOR SITUATION

S. 2739 is being considered on the floor under suspension of the rules and will require a two-thirds majority vote for passage. This legislation was introduced by Senator Jeff Bingaman (D-NM) on March 10, 2008. The bill passed the Senate on April 10, 2008, by a vote of 91 to 4.

S. 2739 is expected to be considered on the floor on April 29, 2008.

## **BACKGROUND**

This legislation is composed of approximately 60 bills most of which have previously passed the House of Representatives during the 110<sup>th</sup> Congress. Senator Tom Coburn (R-OK) had objected to these bills going to the floor. He was able to reach an agreement with Majority Leader Harry Reid (D-NV) to offer a series of amendments.

After defeating the four amendments offered by Senator Coburn, the Senate passed S. 2739 by a vote of 91 to 4 on April 10, 2008. (Record Vote 101)

## SUMMARY

## Title I – Forest Service Authorizations

<u>Wild Sky Wilderness (H.R. 886)</u>: This provision designates roughly 106,000 acres in the Skykomish River Valley, Washington, as the Wild Sky Wilderness. The Congressional Budget Office (CBO) estimates that implementing this provision would cost \$19 million over five years. The House approved H.R. 886 under suspension of the rules by voice vote on April 17, 2007. (Legislative Digest for H.R. 886)

<u>Jim Weaver Loop Trail (H.R. 247)</u>: The bill designates a trail in the Willamette National Forest, Lane County Oregon as a national recreation trail, under Section 4 of the National Trails System Act (16 U.S.C. 1243) and names the trail the "Jim Weaver Loop Trail," after former Member of Congress Jim Weaver (D-OR). H.R. 247 passed the House under suspension of the rules by voice vote on March 5, 2007. (Legislative Digest for H.R. 247)

# Title II - Bureau of Land Management Authorizations

<u>Piedras Blancas Historic Light Station (H.R. 276)</u>: The bill designates the Piedras Blancas Light Station and the approximately 18 acres of public land that surround the light station as an Outstanding Natural Area to be administered as part of the National Landscape Conservation System (NLCS) by the Bureau of Land Management (BLM). The bill was passed by voice vote under suspension of the rules on March 5, 2007. (Legislative Digest for H.R. 276)

<u>Jupiter Inlet Light House (H.R. 1922)</u>: This legislation designates the Jupiter Inlet Lighthouse as a federally protected Outstanding Natural Resource Area (Area) and as a unit of the National Landscape System. H.R. 1922 was passed by voice vote under suspension of the rules on March 4, 2008. (<u>Legislative Digest for H.R. 1922</u>)

<u>Nevada National Guard Land Conveyance (H.R. 815)</u>: The bill allows Clark County in Nevada to convey 35-50 acres to the state without having to pay 85% of the lands' value to the Bureau of Land Management for the purpose of building the Southern Nevada Readiness Center, which would help to

LONGWORTH HOB, WASHINGTON, DC 20515 www.GOP.gov PHONE 202.225.5107

protect the city from future terrorist attacks. H.R. 815 was passed under suspension of the rules by voice vote on April 17, 2007. (Legislative Digest for H.R. 815)

#### Title III – National Park Service Authorizations

National Resources Protection Cooperative Agreement Act (H.R. 658): Allows the National Park Service (NPS) to enter into cooperative agreements with state, local, or tribal governments, other Federal agencies, other public entities, educational institutions, private nonprofit organizations, or private landowners for the purpose of protecting natural resources through collaborative efforts on land inside and outside of NPS units. The House passed H.R. 658 under suspension of the rules by a vote of 390 to 10 on March 19, 2007. (Legislative Digest for H.R. 658)

Carl Sandburg Home National Historic Site (H.R. 1100): This legislation allows the Secretary of the Interior to purchase from willing donors up to 115 acres of land for the purpose of curbing development outside where Carl Sandburg's home is located in Flat Rock, North Carolina, and for the construction of a parking lot and visitor center. The bill was considered under a structured rule and passed by a vote of 268 to 150 on May 23, 2007. (Legislative Digest for H.R. 1100)

Lowell National Historical Park Boundary Adjustment (H.R. 299): This bill would modify the boundary of the Lowell National Historical Park by adding an additional five parcels (less than an acre) of land for completion of the Canal Way. H.R. 299 was passed by the House under suspension of the rules by voice vote on March 5, 2007. (Legislative Digest for H.R. 299)

Minidoka National Historic Site (H.R. 161): The bill extends the boundary of the the Minidoka Internment National Monument in the state of Idaho to include the Nidotot Nai Yoni ("Let it not happen again") memorial. The Nidotot Nai Yoni memorial consists of 8 acres of land owned by the City of Bainbridge Island, Washington, and commemorates the Japanese Americans of Bainbridge Island, Washington, who were the first to be removed from their homes and relocated to internment camps during World War II under Executive Order 9066. The House passed H.R. 161 by a vote of 419 to 0 on February 6, 2007. (Legislative Digest for H.R. 161)

Acadia National Park (H.R. 2251): The bill allows for the conveyance of Federally owned lands outside park boundaries to towns in which the property is located. H.R. 2251 extends the Acadia National Park Advisory Commission through September 25, 2026. It also increases the land acquisition ceiling to \$28 million. The House passed H.R. 2251 under suspension of the rules by voice vote on February 12, 2008. (Legislative Digest for H.R. 2251)

Newtonia Civil War Battlefields, Missouri (H.R. 376): This bill directs the Secretary of the Interior to conduct a special resource study relating to the First Battle of Newtonia in Newton County, Missouri, which occurred on September 30, 1862, and the Second Battle of Newtonia, which occurred on October 28, 1864, during the Missouri Expedition of Confederate General Sterling Price in September and October of 1864. The House agreed to H.R. 376 under suspension of the rules by voice vote on March 5, 2007. (Legislative Digest for H.R. 376)

Soldiers' Memorial Military Museum (H.R. 1047): The bill directs the Secretary of the Interior to carry out a study to determine the suitability and feasibility of designating the Soldiers' Memorial Military Museum, located at 1315 Chestnut, St. Louis, Missouri, as a unit of the National Park System. The House passed H.R. 1047 under suspension of the rules by voice vote on March 5, 2007. (Legislative Digest for H.R. <u>1047</u>)

Wolf House Study: This provision was included in the House passed America's Historical and Natural Legacy Study Act (H.R. 3998) and would require a study to determine feasibility of designating the Wolf House (Norfolk, AR) as a unit of the National Park System.

420 LONGWORTH HOB, WASHINGTON, DC 20515 www.GOP.gov PHONE 202.225.5107 FAX 202.226.0154

Space Shuttle Columbia Study (H.R. 807): This legislation directs the Secretary of the Interior to conduct a special resource study to determine the feasibility and suitability of establishing a memorial as a unit or units of the National Park System to the Space Shuttle Columbia on land in the State of Texas on which large debris from the Shuttle was recovered. H.R. 807 passed the House under suspension of the rules by voice vote on March 5, 2007. (Legislative Digest for H.R. 807)

Cesar E. Chavez Study (H.R. 359): This legislation authorizes the Secretary of the Interior to conduct a land study relating to the life of Cesar Estrada Chavez and to determine if any of the sites are eligible to be registered in the National Register of Historic Places. The study will be conducted in Arizona, California and other western states that were important to the farmer's movement. The bill passed the House under suspension of the rules on July 10, 2007. (Legislative Digest for H.R. 359)

Taunton, Massachusetts Study (H.R. 1021): This provision directs the Secretary of the Interior to conduct a special resources study regarding the suitability and feasibility of designating certain historic buildings and areas in Taunton, Massachusetts, as a unit of the National Park System. The House passed H.R. 1021 under suspension of the rules by voice vote on March 19, 2007. (Legislative Digest for H.R. 1021)

Rim of the Valley Corridor Study: This provision was included in the House passed America's Historical and Natural Legacy Study Act (H.R. 3998) would require a study to determine the feasibility of designating all or a portions of the Rim of the Valley Corridor (California) as a unit of the Santa Monica Mountains National Recreation Area.

Commemorative Work to Honor Brigadier General Francis Marion (H.R. 497): The bill allows The Marion Park Project (a committee of the Palmetto Conservation Foundation) to establish a commemorative work on Federal land in the District of Columbia to honor Brigadier General Francis Marion. The House passed H.R. 497 by a vote of 390 to 0 on March 5, 2007. (Legislative Digest for H.R. 497)

Dwight D. Eisenhower Memorial Commission (H.R. 2094): This provision allows the Eisenhower Memorial Commission to hire additional staff, including, an architect, and accept gifts and donations for the completion of a memorial to honor the contributions of Dwight D. Eisenhower to the Nation. The House passed H.R. 2094 by voice vote under suspension of the rules on October 22, 2007. (Legislative Digest for H.R. 2094)

National Museum of the American Latino (H.R. 512): H.R. 512 would establish a commission to study the creation of a National Museum of American Latino Heritage. The House passed H.R. 512 under suspension of the rules by voice vote on February 6, 2007. (Legislative Digest for H.R. 512)

Hudson-Fulton-Champlain Quadricentennial Commemoration Commission (H.R. 1520): The bill authorizes \$5 million over fiscal years 2007 - 2011 for the creation of two commissions commemorating the expeditions of the explorers Samuel de Champlain, Henry Hudson and Robert Fulton. The House passed H.R. 1520 on September 24, 2007, under suspension of the rules by voice vote. (Legislative Digest for H.R. 1520)

Museum of the American Quilter's Society (H.Con.Res. 209): The bill resolves that it is the sense of Congress that the Museum of the American Quilter's Society, located at 215 Jefferson Street, Paducah, Kentucky, should be designated as the `National Quilt Museum of the United States'. The House passed H.Con.Res. 209 on February 12, 2008, by voice vote under suspension of the rules. (Legislative Digest for H.Con.Res. 29)

National Museum of Wildlife Art (H.Con.Res. 116): The bill expresses the sense of Congress that the National Museum of Wildlife Art, located in Jackson, Wyoming, shall be designated as the "National

LONGWORTH HOB, WASHINGTON, DC 20515 www.GOP.gov PHONE 202.225.5107

Museum of Wildlife Art of the United States." The House passed H.Con.Res. 116 under suspension of the rules by voice vote on June 5, 2007. (Legislative Digest for H.Con.Res. 116)

Redesignation of the Ellis Island Library (H.R. 759): H.R. 759 designates The Ellis Island Library on the third floor of the Ellis Island Immigration Museum, located on Ellis Island in New York Harbor, as the `Bob Hope Memorial Library.' The House passed H.R. 759 on March 20, 2007, by a vote of 420 to 1. (Legislative Digest for H.R. 759)

Star-Spangled Banner National Historic Trail (H.R. 1388): This legislation directs the Secretary of the Interior to incorporate the Star-Spangled Banner National Historic Trail, which runs through Virginia, Washington, DC, and Maryland, into the national trails system. The House passed H.R. 1388 under suspension of the rules by voice vote on July 23, 2007. (Legislative Digest for H.R. 1388)

Lewis and Clark National Historic Trail (H.R. 761): This legislation allows the Secretary of Interior to convey 2 parcels of land to the Missouri River Basin Lewis and Clark Interpretative Trail and Visitor Center Foundation, Inc., a 501(c)(3) not-for-profit organization that helps educate people on the travels of Lewis and Clark. The House passed H.R. 761 under suspension of the rules by voice vote on July 23, 2007. (Legislative Digest for H.R. 761)

Lewis and Clark National Historic Trail Extension Study (H.R. 3616): The bill directs the Secretary of the Interior to conduct a study to determine the suitability and feasibility of extending the Lewis and Clark National Historic Trail to include the Eastern Legacy sites.

\*Note: The House has not considered H.R. 3616.

Eightmile River (H.R. 986): This legislation would amend the Wild and Scenic Rivers Act (PL 90-542) to designate certain segments of the Eightmile River in the State of Connecticut as components of the National Wild and Scenic Rivers System. The House passed H.R. 986 under a closed rule by a vote of 239 to 173 on July 11, 2007. (Legislative Digest for H.R. 986)

Denali National Park (H.R. 830): The bill authorizes the Secretary of the Interior to exchange land within Denali National Park with the Alaska Railroad for the purpose of turning railroad trains around near Denali Park Station. The House passed H.R. 830 by voice vote under suspension of the rules on October 22, 2007. (Legislative Digest for H.R. 830)

National Underground Railroad Network (H.R. 1239): The bill directs the Secretary of the Interior to hire staffers to assist in carrying out programs in the National Underground Railroad, which consists of historic stops along the route used by slaves seeking freedom. The legislation authorizes \$2.5 million to increase the staff and restore the sites along the trail. The House passed H.R. 1239 by voice vote under suspension of the rules on July 23, 2007. (Legislative Digest for H.R. 1239)

Grand Canyon National Park Subcontractors (H.R. 1191): The bill authorizes the National Park Service to pay for services rendered by subcontractors under a GSA for work done at the Grand Canyon National Park. The House passed H.R. 1191 on April 17, 2007, by voice vote under suspension of the rules.

## Title IV - National Heritage Areas

Journey Through Hallowed Ground National Heritage Area: The bill establishes the "Journey Through Hallowed Ground National Heritage Area" on a 175-mile region generally following along the Route 15 corridor, including areas in Pennsylvania, Maryland, West Virginia, and Virginia. One of the unique purposes of this NHA would be to recognize and interpret the effect of the Civil War on this area during the war and post-war reconstruction.

420 LONGWORTH HOB, WASHINGTON, DC 20515 www.GOP.gov PHONE 202.225.5107 FAX 202.226.0154

Niagara Falls National Heritage Area: The bill establishes the "Niagara Falls National Heritage Area" in upstate New York around the mouth of the Niagara River on Lake Ontario. The unique purpose of this NHA would be to conserve and interpret the history of hydroelectric power in the U.S. and its role in the American economy.

Abraham Lincoln National Heritage Area: The bill establishes the "Abraham Lincoln National Heritage Area" in Central Illinois. The unique purpose of this NHA would be to recognize and interpret the distinctive role the region played in shaping Abraham Lincoln and how his life left its traces in the stories, folklore, buildings, streetscapes, and landscapes of the region.

\*Note: The Journey Through Hallowed Ground, Niagara Falls, and Abraham Lincoln National Heritage Areas were included in the Celebrating America's Heritage Act (H.R. 1483) which passed the House by a vote of 291 to 122 on October 27, 2007. (Legislative Digest for H.R. 1483)

New Jersey Coastal Heritage Trail: The bill extends the authorization for this Heritage Trail through 2011.

\*Note: The House did not previously vote on this provision.

Columbia-Pacific National Heritage Area Study (H.R. 407): The bill directs the Secretary of the Interior to conduct a study of the coastal areas of Clatsop County, Oregon, and Pacific County, Washington to determine the feasibility of designating the area as a National Heritage Area known as the "Columbia-Pacific National Heritage Area." The House passed H.R. 407 under suspension of the rules by a vote of 294 to 80 on May 7, 2007. (Legislative Digest for H.R. 407)

## Title V – Bureau of Reclamation and the U.S. Geological Survey

Alaska Water Resources (H.R. 1114): The bill authorizes the Secretary of the Interior to conduct a study that includes a survey of accessible water supplies, including aquifers, on the Kenai Peninsula and in the Municipality of Anchorage, the Matanuska-Susitna Borough, the city of Fairbanks, and the Fairbanks Northstar Borough and a survey of water treatment needs and technologies, including desalination, applicable to the water resources of the State. The House passed H.R. 1114 under suspension of the rules by voice vote on May 7, 2007. (Legislative Digest for H.R. 1114)

Redwood Valley County Water District (H.R. 235): The bill authorizes the Redwood Valley County Water District (District) to enter into non-Federal obligations as are necessary to finance procurement of dedicated water rights and improvements necessary to store and convey those rights to provide for the District's water needs if the Secretary of the Interior and the District have not renegotiated the schedule of payment as of January 1, 2006. The House passed H.R. 235 by voice vote on February 6, 2007. (Legislative Digest for H.R. 235)

American River Pump Station Transfer (H.R. 482): This provision instructs the Secretary of the Interior to transfer ownership of a federally owned water pumping station in Auburn, CA to the Placer County Water Agency. The bill passed the House under suspension of the rules on February 7, 2007, by a vote of 425 to 0. (Legislative Digest for H.R. 482)

Arthur V. Watkins Dam Enlargement (H.R. 839): The legislation authorizes the Secretary of the Interior to conduct a feasibility study to consider raising the height of the Arthur V. Watkins dam for the purpose of adding additional water storage capacity to the dam. The House passed H.R. 839 under suspension of the rules by a vote of 394 to 1 on March 19, 2007. (Legislative Digest for H.R. 839)

New Mexico Water Planning Assistance (H.R. 1904): The bill allows the Secretary of the Interior to provide to the State of New Mexico technical assistance and grants for the development of comprehensive state water plans, conduct water resources mapping in the state, and conduct a

LONGWORTH HOB, WASHINGTON, DC 20515 www.GOP.gov PHONE 202.225.5107

comprehensive study of groundwater resources. The House passed H.R. 1904 by voice vote under suspension of the rules on July 10, 2007. (Legislative Digest for H.R. 1904)

Yakima-Tieton Irrigation District Conveyance (H.R. 386): This provision instructs the Secretary of the Interior to transfer ownership of a federally owned irrigation facility which consists of approximately 9 acres of land and several buildings in Yakima County, WA to the Yakima-Tieton Irrigation District. The House passed H.R. 386 under suspension of the rules by a vote of 417 to 0. (Legislative Digest for H.R. 386)

Juab County, Utah (H.R. 1736): The bill adds Juab County to a feasibility study, which was authorized in 1992, to be conducted by the Secretary of the Interior. The study involves allowing ground water recharge, management, and the conjunctive use of surface water resources with ground water resources in Salt Lake, Utah, Davis, Wasatch, and Weber Counties, Utah. The House passed H.R. 1736 under suspension of the rules by voice vote on June 5, 2007. (Legislative Digest for H.R. 1736)

A&B Irrigation District (H.R. 467): H.R. 467 allows any landowner within the A&B Irrigation District in the State of Idaho to repay, at any time, construction costs associated with the Minidoka Project. The House passed H.R. 467 under suspension of the rule by voice vote on March 5, 2007. (Legislative Digest for H.R. <u>467</u>)

Oregon Water Resources (H.R. 495): This legislation amends the Oregon Resource Conservation Act of 1996 to make a number of necessary changes, including replacing references to the Deschutes River Basin Working Group with the Deschutes River Conservancy Working Group (DRC); directing the Bureau of Reclamation to pay up to a total amount of \$2 million for each year of FY2007-FY2016 for 50% of the cost of performing projects proposed by the Working Group and approved by the Secretary of the Interior. The House passed H.R. 495 under suspension of the rules by voice vote on July 23, 2007. (Legislative Digest for H.R. 495)

Republican River Basin (H.R. 1025): This legislation authorizes the Secretary of the Interior to conduct a study to determine if it is feasible to implement a water supply and conservation project in the Republican River Basin located between Harlan County Lake in Nebraska and Milford Lake in Kansas. Since this legislation effects two states the Secretary will work with the appropriate authorities in both Nebraska and Kansas to ensure that the study is carried out in a fashion agreeable to both states. The federal share of the cost of the study will not exceed 50 percent of the total. The Secretary's authority will sunset ten years after the bills enactment. (Legislative Digest for H.R. 1025)

Eastern Municipal Water District (H.R. 30): This bill will provide limited funding to assist the Eastern Municipal Water District in Southern California in upgrading and expanding its water recycling system by replacing older equipment and upgrading the system to handle the additional needs. (Legislative Digest for H.R. 30)

Bay Area Regional Water Recycling (H.R. 1526): This legislation authorizes the Secretary of the Interior to assist in the planning, construction, and design of the Bay Area Regional Water Recycling Program. The legislation authorizes \$28,000,000 to be used in the Bay Area Regional Water Recycling Program. (Legislative Digest for H.R. 1526)

Bureau of Reclamation Site Security (H.R. 1662): This legislation caps the amount of reimbursable, security-related operation and maintenance costs at \$18.9 million per fiscal year (indexed for inflation). The bill continues to treat security-related capital investment as non-reimbursable. H.R. 1662 also requires the Secretary of the Interior to submit an annual report to Congress on security activities. The report is required to include a summary of Federal and non-Federal expenditures in order to show preONGWORTH HOB, WASHINGTON, DC 20515 www.GOP.gov PHONE 202,225,5107

September 11, 2001, and post-September 11, 2001, costs for site security activities. (Legislative Digest for H.R. 1662)

More Water, More Energy, and Less Waste Act (H.R. 902): The bill requires the Secretary of the Interior to conduct a study to identify (1) the technical, economic, environmental, legal, and other obstacles to increasing the extend to which produced water can be used for irrigation and other purposes relating to oil and gas drilling. The House passed H.R. 902 by voice vote under suspension of the rules on March 19, 2007. (Legislative Digest for H.R. 902)

Platte River Endangered Species Recovery Implementation (H.R. 1462): This legislation authorizes the Secretary of the Interior to engage in the Platte River Recovery Implementation Program and help in modifications to the Pathfinder Dam. The legislation authorizes \$157,140,000 to be appropriated over the course of the 13 years of the Project. The three states involved will contribute \$30,000,000 and must contribute at least 50 percent of the total contributions necessary to carry out the Project. The House passed H.R. 1462 under suspension of the rules by voice vote on October 22, 2007. (Legislative Digest for H.R. 1462)

Central Oklahoma Master Conservatory District (H.R. 1337): This provision allows a feasibility study to be conducted by the Commissioner of the Bureau of Reclamation to study the alternatives to augment the water supplies of the Central Oklahoma Master Conservatory District and cities served by the District. The House passed H.R. 1337 on October 22, 2007, by voice vote under suspension of the rules. (Legislative Digest for H.R. 1337)

## Title VI - Department of Energy Authorizations

Energy Technology Transfer (H.R. 85): The bill amends the Energy Policy Act of 2005 to permit the Secretary of Energy to make grants to establish a geographically dispersed network of Advanced Energy Technology Transfer Centers. The House passed H.R. 85 under suspension of the rules by a vote of 395 to 1 on March 12, 2007. (Legislative Digest for H.R. 85)

Steel and Aluminum Energy Conservation and Technology Competitiveness Act (H.R. 1126): H.R. 1126 would reauthorize the Steel and Aluminum Energy and Conversation and Technology Competitiveness Act of 1988 (PL 100-680) until 2012. The House passed H.R. 1126 under suspension of the rules by voice vote on March 12, 2007. (Legislative Digest for H.R. 1126)

## Title VII -Northern Mariana Islands

Northern Mariana Islands (H.R. 3079): H.R. 3079 establishes the Northern Mariana Islands as a Commonwealth. The legislation allows the Northern Mariana Islands a delegate in the House of Representatives, that will be allowed to vote in committees and the full House. Additionally, this legislation will apply most U.S. immigration laws to the Islands after a transition period, including those laws pertaining to temporary workers. During the transition period, the Department of Homeland Security may establish an Islands-only temporary worker program so as to minimize the shocks to the Islands' economy. The House passed H.R. 3079 by voice vote under suspension of the rules on December 11, 2007. (Legislative Digest for H.R. 3079)

# Title VIII - Compacts of Free Association Amendments

Compact of Free Association Amendments (H.R. 2705): The bill amends the Compacts of Free Association Amendments Act of 2003 (P.L. 108-188) to allow unobligated funds from the compacts to be available to U.S. Agency for International Development (USAID) and the Federal Emergency Management Agency (FEMA) for disaster assistance activities in the Federated States of Micronesia and the Republic of the Marshall Islands. Furthermore, the bill grants Micronesia, the Marshall Islands, and Palau the authority to videotape U.S. television programming for rebroadcast at a later time (given the time difference) without

420 LONGWORTH HOB, WASHINGTON, DC 20515 www.GOP.gov PHONE 202.225.5107 FAX 202.226.0154

infringing on U.S. copyright laws. The House passed H.R. 2705 under suspension of the rules by voice vote on November 13, 2007. (Legislative Digest for H.R. 2705)

COST

The Congressional Budget Office has not yet scored this legislation.

STAFF CONTACT

For questions or further information contact Brianne Miller at (202) 226-2302.